

#8  
VT  
2/4/03



DOCKET NO: 204424US2SDIV

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

HIDEO ANDO ET AL.

SERIAL NO: 09/805,891

FILED: MARCH 15, 2001

:

:

:

:

GROUP: 2655

EXAMINER: A. NEYZARI

RECEIVED

FEB 03 2003

Technology Center 2600

FOR: STREAM DATA GENERATION METHOD AND PARTIAL ERASE PROCESSING  
METHOD

RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

In response to the Restriction Requirement dated December 31, 2002, Applicants provisionally elect with traverse Group I, Claims 27-32, 34, and 35, directed to an information medium containing a data structure stored on the medium and method for reading out bitstream information. Applicants traverse the restriction requirement for the following reason:

MPEP § 803 states:

MPEP § 803

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

However, the outstanding Restriction Requirement has not established that an undue burden would exist if the Restriction Requirement was not issued and all the claims were examined together. Moreover, the claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully traverse the outstanding Restriction requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

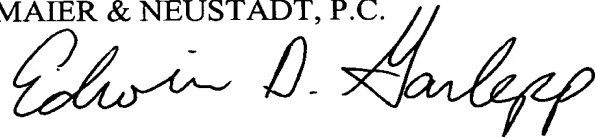
Accordingly, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 27-36 be conducted.

Attention should be drawn to Applicants' representatives' change of address, effectively January 6, 2003:

Oblon, Spivak, McClelland, Maier & Neustadt, P.C.  
1940 Duke Street  
Alexandria, VA 22314

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Attorney of Record  
Registration No. 25,599  
Edwin D. Garlepp  
Registration No. 45,330



**22850**

Tel. No.: (703) 413-3000

Fax No.: (703) 413-2220

GJM:EDG:eac

I:\atty\edg\0039-Toshiba\204424\204424.resp to rest.wpd



DOCKET NO: 204424US2SDIV



COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

RECEIVED

FEB 03 2003

Technology Center 2600

RE: U.S. Application  
Serial No: 09/805,891  
Filed: March 15, 2001  
Inventor: Hideo Ando et al.  
For: Stream Data Generation Method and Partial . . .

ATTORNEYS AT LAW

GREGORY J. MAIER  
(703) 413-3000  
GMAIER@OBLON.COM

EDWIN D. GARLEPP  
SENIOR ASSOCIATE  
(703) 413-3000  
EGARLEPP@OBLON.COM

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$--0-- is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is attached.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Gregory J. Maier  
Attorney of Record  
Registration No. 25,599  
Edwin D. Garlepp  
Registration No. 45,330



22850

Tel. No.: (703) 413-3000  
Fax No.: (703) 413-2220  
GJM:EDG:eac